

**RESOLUTION NUMBER TMBC0202-05-07 OF THE DULY ELECTED AND CERTIFIED
GOVERNING BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA**

- WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe, is an unincorporated Band of Indians acting under a revised Constitution and Bylaws approved by the Secretary of the Interior on June 16, 1959, and amendments thereto approved; and
- WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to represent the Band and to negotiate with federal, state and local governments and with private persons; and
- WHEREAS, Article IV Section 2 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to regulate its own procedure, provided that any delegation of authority described in this Constitution shall be granted only by written resolution or ordinance and shall be withdrawn in the same manner; and
- WHEREAS, Article IX Section 4 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to enact ordinances to remove from the reservation persons not legally entitled to reside thereon and whose presence may be injurious to the peace, happiness or welfare of the members of the Band, subject to the review of the Secretary of the Interior, or his duly authorized representative; and
- WHEREAS, The Dakota Beacon, issued monthly and widely distributed in the State of North Dakota, published a defamatory, implausible and derogatory article titled "The Appalling State of North Dakota Indian Reservations" in its January 2007 issue; and
- WHEREAS, the publication of the article was injurious to the peace and seriously threatens the general welfare, health, safety, political security and prosperity of the Turtle Mountain Band of Chippewa, its members, and other tribes in the State of North Dakota; and
- WHEREAS, Rob Port, author of the article has recommended the reservation be abolished and the government "safety net" be taken out from under the Indians; and
- WHEREAS, SayAnythingBlog.com, advertised in the Dakota Beacon issue as "North Dakota's fastest-moving and most widely read political website", with Rob Port as webmaster, has promoted threads where many anti-Indian and anti-reservation comments have been made, particularly against the Turtle Mountain Band of Chippewa; and
- WHEREAS, Rob Port, along with fellow bloggers on the SayAnythingBlog.com site, has either stated and/or agreed that Indian women are "Welfare Whores", Indian children are all "bastards" and all reservation peoples are living on the Government's "welfare tit"; and
- WHEREAS, there has been no effort made on the part of the Dakota Beacon to retract the article, amidst numerous complaints by tribal members; and

WHEREAS, Rob Port, author of the article and webmaster of SayanythingBlog.com has made no effort to either retract or apologize to the Turtle Mountain Band of Chippewa Indians; now

THEREFORE BE IT RESOLVED that, Rob Port, author of the aforementioned article and webmaster of SayAnythingBlog.com, be excluded and removed from all land on the Turtle Mountain Indian Reservation in the State of North Dakota and from such other lands as may be acquired on behalf of said Tribe and be added thereto under the laws of the United States and pursuant to Title 39 of the Turtle Mountain Tribal Code, in order that the peace, health, political integrity, economic security and general welfare of the Turtle Mountain Band of Chippewa be secured; and

BE IT FURTHER RESOLVED that, Steve Cates, publisher of the Dakota Beacon, and Dakota Beacon, Inc. publicly retract the January 2007 article "The Appalling State of North Dakota Indian Reservations" by issuing a letter to the Turtle Mountain Band of Chippewa Indians, with said letter placed by the tribe for publication in regional news outlets and issuance to each of the other tribes in the State of North Dakota; and


BE IT FURTHER RESOLVED that this resolution be transmitted to the U.S. Senate Committee on Indian Affairs, North Dakota Congressional Delegation Members, the Governor of the State of North Dakota and the North Dakota State Indian Affairs Commission for follow-through, oversight and information.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom **nine (9)** constituting a quorum were present at a meeting duly called, convened and held on the **10th day of May, 2007**, that the foregoing resolution was adopted by an affirmative vote of **eight (8) in favor** – Councilmen Stuart LaFountain, Don Keplin, Ted Henry, Jim Baker, Clarence 'Swede' Counts, Ernie Azure, Gerald 'GT' Monette and Elmer Davis, Jr; none (0) opposed; and the Chairman not voting.


Joleen Peltier, Tribal Secretary

- SIGNED INTO LAW/Dated the 11 day of May, 2007
 VETOED/Dated this _____ day of _____, 2007
 VETO OVERRIDDEN/Date this _____ day of _____, 2007


David "Doc" Brien, Chairman